



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE AND
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

September 10, 2002

Patent No. : 6,338,727
Inventor(s) : Wayne A. Noda, et al
Issued : January 15, 2002
Title : INDWELLING HEAT EXCHANGE CATHETER
AND METHOD OF USING SAME
Docket No. : CA-5740

#26

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322 and /or 1.323.

Granting of a petition under 37 CFR 1.183, requesting the requirements of 37 CFR 3.81 to be waived, is required to correct applicant's error in the Assignee. Such a petition is required, when the *correct* assignee's name *and/or* address *was not provided* in accordance with either section 3.81(a) or (b) (either no data or an incorrect data, i.e. additions, deletions, typographical, misspelling, etc.), was provided in item 5 of the Issue Fee Transmittal (PTOL-85b), when the assignment had been recorded or submitted for recordation at the time the issue fee was paid or when an incorrect name was provided in the petition required by section 3.81(b) when the assignment submitted for recording after the date of payment of the issue fee, but prior to issuance of the patent). This procedure is required at *any* time after the issue fee is paid, including after issuance of the patent.

In view of the foregoing, your request in this matter is hereby denied.

A certificate of correction will issue to correct the remaining errors noted in your request.

A petition to correct the Assignee under 37 CFR 1.183 should include:

- (1) the petition fee set forth in 37 CFR 1.117(h) (currently \$130);
- (2) the correct name and address of the assignee; and
- (3) the reel and frame number where the assignment(s) is recorded or proof of the date the assignment was submitted for recordation.

Any petition under 37 CFR 1.183 should be directed to the attention of the Assistant Commissioner for Patents, using the following mailing address or FAX number.

By Mail: Commissioner of Patents and Trademarks
Box DAC

Washington, D.C. 20231

By Fax: (703) 308-6916

Attn.: Office of Petitions

If the petition under 37 CFR 1.183 is filed and granted, the patentee would be entitled to a certificate of correction under 37 CFR 1.323 (required fee currently \$100, if not previously submitted), due to the mistake in not complying with CFR 3.81; and if it is requested in the "Petition", that the file be forwarded to Certificates of Correction Branch, for issuance of a Certificates of Correction to correct the Assignee(s). PTOL-1050 forms (Certificate of Correction forms) indicating the correct assignee, not including any corrections that were previously requested *and* published/issued, should accompany the petitions/request.

Fore Cecelia Newman
Decisions & Certificates
of Correction Branch
(703) 305-8309 or (703) 305-

ARLYN L. ALONZO, ESQ.
15770 LAGUNA CANYON ROAD, STE. 150
IRVINE, CA 92618